



City of Arts & Innovation

City Council Memorandum

TO: HONORABLE MAYOR AND CITY COUNCIL DATE: AUGUST 14, 2018

FROM: CITY ATTORNEY WARDS: ALL

SUBJECT: OUTSIDE COUNSEL EXPENDITURE REPORT

ISSUE:

The issue for City Council consideration is the Outside Counsel Expenditure Report for the period of April 1, 2018 through June 30, 2018, as provided in the outside counsel policy approved by City Council on June 16, 2015.

RECOMMENDATIONS:

That the City Council receives and files the attached report.

BACKGROUND:

In the continuing effort of transparency and accountability, City Council approved the City Attorney's recommendation of quarterly reporting of the outside counsel expenditures. This report includes the current spending for the prior quarter and the cumulative spending from inception of the matter grouped by law firm name. All closed matters are highlighted and will not be included in the next report. It should be noted that bond counsel and contingency payments are not paid through the City's accounts payable division and therefore must be manually added to information derived from the City's accounting system. In the case of bond counsel payments, the payments are typically made directly by the bond trustee from bond proceeds. In the case of contingency payments, the payments are typically deducted from the funds received prior to deposit by the City.

FISCAL IMPACT:

There is no fiscal impact at this time.

Prepared by: Gary G. Geuss
City Attorney

Attachment: Outside Counsel Expenditure Report

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**OUTSIDE COUNSEL EXPENDITURE REPORT
THROUGH JUNE 30, 2018**

LAW FIRM	MATTER/CASE NAME	BRIEF DESCRIPTION			EXPENDITURES		BALANCE
			Funding Source	Authorized Spending Limit	4/1/18 - 6/30/18	TOTAL AS OF 6/30/18	
BAKER HOSTETLER							
	<i>Cyber Security Breach</i>	Prevention/Advice	510	20,000	-	2,375	17,625
	<i>Business Tax Security</i>		630	4,000	-	0	4,000
Subtotal							
BEST BEST KRIEGER							
	<i>City HA v DOF</i>	*Note - HA allowance, costs split with several cities	280	37,388	19	37,534	(146)
	<i>General Advice</i>	Miscellaneous	101	25,000	1,063	14,987	10,013
	<i>General Advice</i>	RPU	101	13,000	-	5,918	7,082
	<i>RTRP/CPUC</i>	Advice	510	16,455	4,529	6,568	9,887
	<i>City v DOF</i>	Anticipated litigation	630	65,000	6,954	6,954	58,046
	<i>Riverwalk CSD Foreclosure</i>	Collection	101	10,000	666	666	9,334
Subtotal							
BLAISDELL, CHURCH & JOHNSON							
	<i>Bond Counsel</i>	IPP Generation Plant	510	5,000		1,000	4,000
Subtotal							
CHAPMAN AND CUTLER							
	<i>Bond Counsel*</i>						

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COLANTUONO HIGHSMITH & WHATLEY							
	<i>General matters</i>	Prop 218 and conflicts advice	520	40,400	-	36,704	3,696
	<i>General Advice</i>	CAO	101	15,000	-	13,771	1,229
	<i>General/RPU**</i>	Electric & Water Cost Service Study	520	25,000	-	65	24,935
	<i>Olquin, Richard v City</i>	Litigation re GFT	630	155,000	4,539	113,403	41,597
	<i>Parada, Summer v City</i>	UUT Claim Litigation	101	275,000	4,755	18,160	256,840
	<i>Bailey, William R. v City***</i>	Litigation Initiated by Mayor	101	138,000	54,788	121,945	16,055
	<i>Clymer, R. Ben v City</i>	Challenge to Russo Contract	101	155,000	43,876	43,876	111,124
Subtotal							
CONSTANTINE CANNON							
	<i>State of California et al. ex rel. [Under Seal] v [Under Seal]</i>	Litigation re wireless cell service/contingency		-		-	-
Subtotal							
COTCHETT PITRE & McCARTHY							
	<i>Bond Derivative Litigation</i>	Contingency*					
Subtotal							
GIBBS GIDEN LOCHER TURNER SENET &							
	<i>Wasden, David*</i>	Construction project dispute	520	255,000	11,403	13,424	241,576
	<i>High Light Electric v City*</i>	Construction project dispute	520	265,000	9,688	24,956	240,044
Subtotal							

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GREINES MARTIN STEIN & RICHLAND							
	<i>Corona, Amador v City</i>	Appellate advice	630	45,000	-	-	45,000
	<i>Easley, Michael v. City**</i>	Federal civil rights action	630	112,695	2,140	71,280	41,415
	<i>Brokaw, Dennis v City</i>	Appellate advice	630	3,500	-	2,233	1,267
	<i>Nichols, Raymond v City</i>	Federal civil rights action	630	66,962	1,687	52,918	14,044
Subtotal							
HAWKINS DELAFIELD & WOOD							
	<i>Bond Counsel*</i>						
Subtotal							
JONES HALL							
	<i>Bond Counsel</i>	SIFMA		40,000		-	40,000
Subtotal							
LEWIS BRISBOIS BISGAARD & SMITH							
	<i>Easley, Michael v City**</i>	Civil rights litigation	630	341,500	-	310,276	31,224
	<i>Marshall, Paul v City</i>	Employment	630	100,000	-	16,354	83,646
Subtotal							

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LIEBERT CASSIDY WHITMORE							
	<i>RPOA v City</i>	Labor	101	252,500	4,660	4,660	247,840
	<i>RFA/Fenske v City</i>	Employment/Labor	101	125,000	-	-	125,000
	<i>General Advice</i>	Misc	101	1,000	-	447	553
Subtotal							
MANNING & KASS							
	<i>Wells Fargo v. City -1 and 2**</i>	Civil penalties on Tax Rolls Validity	630	146,520	3,119	114,163	32,357
Subtotal							
MILLER AXLINE & SAWYER							
	<i>City v Black & Decker (U.S), Inc.</i>	Perchlorate litigation/contingency*				-	
Subtotal							
SMITH LAW OFFICES							
	<i>Amicone, Lorraine v City</i>	Employment Litigation	630	170,200	-	-	170,200
	<i>Louis, Jean-Louis v City</i>	Civil rights litigation	630	176,000	-	-	176,000
	<i>Nichols, Raymond v City</i>	Civil rights litigation (Federal)	630	81,956	-	37,771	44,185
	<i>Nichols, Raymond v City</i>	Civil rights litigation (State)	630	70,550	-	10,345	60,205
Subtotal							

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SOHAGI LAW GROUP							
	<i>Ag Park</i>	CEQA	101	8,750		2,975	-
Subtotal							
STRADLING YOCCA CARLSON & RAUTH							
	<i>Bond Counsel</i>	Pension Obligation Bonds 2017		45,000		-	45,000
	<i>Bond Counsel</i>	2017B Equipment Financing		10,000		-	10,000
	<i>Bond Counsel</i>	2006 Lease Revenue (Galleria)		55,000		-	55,000
Subtotal							
THINK LEGAL360							
	<i>Harris, Bobby v. City</i>	Employment Litigation	630	270,000	6,270	74,873	195,127
Subtotal							
THOMPSON COBURN							
	<i>FERC**</i>	Regulatory	510	801,182	129,088	796,739	4,443
	<i>LADWP Transmission Agreements</i>	Potential Extension	510	25,000	-	15,991	9,009
Subtotal							
TOTAL					289,244		

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Note: Plaintiff's Case - Outside Counsel Retained for Recovery							
BURKE WILLIAMS SORENSEN							
	City v. Jurupa/Rubidoux CSD, et al.**	Recovering contribution obligation for RWQCP project	550	3,799,326	559,353	3,727,154	72,172

Please note:

- (1) Some totals may include costs
- (2) Items shaded in blue are closed
- (3)*Contingency bond counsel payments are per individual bond transactions or recovery received
- (4)**Change order issued/adjustment; amount increased for current FY
- (5)***Litigation initiated by Mayor